

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.16160 of 1995

Date of Decision: 17.03.2016

Gurtej Singh

... Petitioner

Versus

State of Punjab and others

... Respondent

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Gurcharan Dass, Advocate,
for the petitioner.

Mr. Harkesh Manuja, Addl. AG, Punjab.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.

1. The petitioner has qualified the Punjab State Assistant Grade Examination to make him eligible for promotion as Assistant in terms of the Punjab State Assistant Grade Examination Rules, 1984. He qualified the examination prior to January 21, 1991 which is the cut off date laid down by the Supreme Court in **Saroj Rani v. State of Punjab**, AIR 1999 SC 3392: 1999 (4) RSJ 30 determined rights of qualifier and exemptees in the ratio of 70% and 30% for filling posts of Assistants against vacancies after January 21, 1991.

2. It is another matter that the Assistant Grade Examination Rules have been scrapped in 1995 which makes no difference to the case of the petitioner. In any case, it has been pointed out by Mr. Manuja from a communication received from the office of the Director General of Police, Punjab that relief has been granted to the petitioner by giving him deemed

date of promotion as Senior Assistant w.e.f. January 15, 1991 the date prior to the cut off date.

3. In view of this information, the petition has been rendered infructuous and is dismissed as such. However, the monetary benefits due as per antedated promotion will be the right of the petitioner as per rules. The communication dated March 08, 2016 through a memo is taken and retained on record as Mark 'A'. In case, the petitioner has any grievance remaining with respect to his deemed promotion he will be at liberty either to seek revival of this petition or to approach the Court again.

(RAJIV NARAIN RAINA)
JUDGE

17.03.2016
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